

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

BRYAN EDMOND SARNOWSKI,

Plaintiff,

v.

ISRAEL JACQUEZ,

Defendant.

Case No.: 3:23-cv-01811-JE

ORDER

**Adrienne Nelson, District Judge**

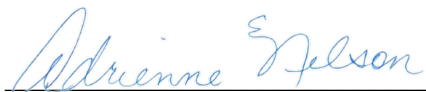
United States Magistrate Judge John Jelderks issued Findings and Recommendation in this case on May 23, 2024. Judge Jelderks recommended that this Court deny petitioner's petition for writ of habeas corpus. No party has filed objections.

A district court judge may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). When a magistrate judge issues a findings and recommendation related to a dispositive motion and a party files objections, "the court shall make a de novo determination of those portions of the report." *Id.* However, if the magistrate judge's findings and recommendation are related to a non-dispositive matter and a party files objections, the district judge may reject the determinations *only* if the magistrate judge's order is clearly erroneous or contrary to law. 28 U.S.C. § 636(b)(1)(A). If no objections are filed, then no standard of review applies. However, further review by the district court *sua sponte* is not prohibited. *Thomas v. Arn*, 474 U.S. 140, 154 (1985). The Advisory Committee notes to Federal Rule of Civil Procedure 72(b) recommend that unobjected to proposed findings and recommendations be reviewed for "clear error on the face of the record." Fed. R. Civ. P. 72(b) advisory committee's note to 1983 amendment.

Because no party in this case has made objections, this Court reviews Judge Jelderks' Findings and Recommendation for clear error on the face of the record. Finding no error, the Court ADOPTS Judge Jelderks' Findings and Recommendation, ECF [11]. The petition for writ of habeas corpus, ECF [1], is DENIED, and this case is DISMISSED with prejudice.

IT IS SO ORDERED.

DATED this 21st day of June, 2024.

A handwritten signature in blue ink that reads "Adrienne Nelson". The signature is written in a cursive, flowing style.

Adrienne Nelson  
United States District Judge